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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/913,729	08/17/2001	Alexander Weiss	449122007100	4140

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EXAMINER

SHARMA, SUJATHA R

ART UNIT PAPER NUMBER

2684

DATE MAILED: 05/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/913,729

**Applicant(s)**

WEISS, ALEXANDER

**Examiner**

Sujatha Sharma

**Art Unit**

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12/22/04.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

*Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuo [US 5,635,897] in view of Osborn [WO 98/42154].

Regarding claim 1, Kuo discloses a phone device attached to a mobile terminal and a body device to be carried by the user. Kuo further discloses a telecommunication terminal comprising:

- an audible alarm device for audible call signaling originating from the telecommunication terminal. See Figs. 1,2,5 and col. 1, lines 26-45, col. 2, lines 9-47
- the audible alarm device is automatically activated if the external signaling apparatus is not operational or a distance between the telecommunication terminal and the external signaling apparatus exceeds a defined value. See fig. 6, col. 2, lines 25-31

Kuo, however does not disclose a method wherein:

an external signaling apparatus is connected to the telecommunication terminal by means of cordless communication for cordless call signaling and the audible alarm device is configured to be turned off by activating the external signaling apparatus.

Osborn, in the same filed of endeavor, teaches a method wherein:

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an external signaling apparatus is connected to the telecommunication terminal by means of cordless communication for cordless call signaling and the audible alarm device is configured to be turned off by activating the external signaling apparatus. See page 3, lines 15-25 and page 12, lines 1-7.

Therefore it would have been obvious to one with ordinary skill in the art to provide the above teachings of Osborn to Kuo in order to conserve the battery used to provide power to the mobile phone and to minimize any confusion stemming from several alerting signals being provided.

Regarding claim 2, Kuo further discloses a method wherein upon receiving a call, the telecommunication/mobile terminal sends a signaling signal to the body device/external call signaling apparatus and if the call is accepted by a user, sends a signaling end signal for deactivating the call signaling to the body device/external call signaling apparatus (see summary of invention, col. 3, lines 40-53).

Regarding claim 3, Kuo further discloses a method wherein the cordless communication between the telecommunication/mobile terminal and the body device/external call signaling apparatus occurs by radio or infrared transmission (see col. 1, lines 39-42).

Regarding claim 4, Kuo further discloses a method wherein the body device/external call signaling apparatus is designed to give a vibrating alarm (see col. 1, lines 39-45).

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Regarding claim 5, Kuo further discloses the body device/external call signaling apparatus to comprise of a dedicated power supply (see col. 3, lines 37-39).

Regarding claim 6, Kuo further discloses a method wherein the body device/external call signaling apparatus is designed too be carried on the body of the user (see summary of invention).

Regarding claim 7, Kuo further discloses a method wherein the body device/external call signaling apparatus is automatically activated and an audible alarm device of the telephone is automatically activated when the signaling apparatus is carried on the body of the user (see summary of invention, col. 2, lines 32-37 and 44-47).

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-7 have been considered but are moot in view of the new ground(s) of rejection.


### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sujatha Sharma whose telephone number is 571-272-7886. The examiner can normally be reached on Mon-Fri 7.30am - 4.00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Sujatha Sharma  
April 27, 2005

  
NAY MAUNG  
SUPERVISORY PATENT EXAMINER